IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

WP(Crl.).No. 265 of 2007(S)

PETITIONER:

RESHMITH M.K., S/O. M.K. PURUSHOTHAMAN,
DEVIPRASAD, TAR ROAD, CHOVVA P.O., KANNUR DISTRICT

BY ADV. SRI.JOBY CYRIAC

RESPONDENTS:
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1. MR. JANARDHANAN PALAKANDIYIL VILLIPPALAN
KRISHNASREE, NEAR ELAYAVOOR PANCHAYATH,
MUNDAYAD P.O., KANNUR-670597.

2. THE STATE OF KERALA,
REPRESENTED BY SECRETARY (HOME),
GOVT.SECRETARIAT, THIRUVANANTHAPURAM.

3. DISTRICT SUPERINTENDENT OF POLICE,
KANNUR.

4. CIRCLE INSPECTOR OF POLICE,
TOWN POLICE STATION, KANNUR.

5. SUB INSPECTOR OF POLICE,
TOWN POLICE STATION, KANNUR.

R1 BY ADV. SMT.K.GIRIJA
SRI.GANESH G.PILLAI
R2 to R5 BY GOVT.PLEADER SRI C.M.KAMMAPPU

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 20/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1	TRUE COPY OF THE RECEIPT DTD. 7/11/2007 ISSUED FROM THE KADAVIL SREE MAHALAKSHMI TEMPLE, PALLIPPURAM, CHERTHALA.
EXT.P2	ORIGINAL PHOTOGRAPHS OF THE MARRIAGE CEREMONY OF THE PETITIONER AND DETENUE HELD ON 7/11/2007.
EXT.P3	TRUE COPY OF THE RELEVANT PAGE OF THE PASSPORT OF THE PETITIONER TO PROVE HIS AGE.
EXT.P4	TRUE COPY OF THE RELEVANT PAGES OF THE PASSPORT OF THE DETENUE TO PROVE HIS AGE.
EXT.P5	TRUE COPY OF THE COMPLAINT DATED 11/11/2007 SUBMITTED BEFORE THE 3RD RESPONDENT.

P.R.RAMAN & V.K.MOHANAN, JJ.

W.P.(Crl)NO.265 OF 2007

Dated this the 20th day of November, 2007

JUDGMENT

Raman, J.

Petitioner, alleging that his wife, Nikhila is under the illegal custody of the lst respondent, has filed this habeas corpus writ petition for a direction to produce his wife before this Court. Pursuant to the notice issued, the alleged detenu, Nikhila appeared. Petitioner's father is present. We interacted with the girl and she stated that she had attained the age of 18 years as on 25/2/2007. She also stated that she had gone along with the petitioner on her own accord. But now she wants to go along with her parents. Being a major she is set free to go along with her parents. Petitioner, who is now in possession of her passport, shall surrender the same before the Sub Inspector of Police, Kannur within ten days and in case any application to that effect is filed by the detenu before the Sub Inspector of Police, Kannur the same shall be handed over to her on proper receipt.

Writ Petition is closed.

P.R.RAMAN,
Judge.

V.K.MOHANAN,
Judge.